Amendments to the Drawings:

The attached sheet of drawings include formal drawings for Fig. 1-3. These sheets, which includes Figs. 1-3 replace the original sheets including Fig. 1-3.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Claims 1-15 are currently pending.

The drawings were objected to for various informalities including handwritten numbers on the drawings. Applicants have replaced the drawings with a formal set of drawings and respectfully request that the objections to the drawings be withdrawn.

Claims 1-15 stand rejected under 35 U.S.C. 102(b) as being anticipated by ATM Forum, AF-VMOA-0145.000, "Voice and Multimedia Over ATM - Loop Emulation Service Using AAL2", July 2000 (hereinafter "VMOA").

Reconsideration in view of the remarks below is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 1-15 stand rejected under 35 U.S.C. 102(b) as being anticipated by VMOA.

Applicants submit that VMOA fails to teach all of the elements of independent claims 1, 5, 9, and 12. For example, claim 1 recites, in part: "control logic configured to format the channelized circuit data into one or more ATM cells, each ATM cell having a payload, the payload having a plurality of octets and corresponding validity fields, each validity field indicating whether the associated octet contains valid data." Applicants submit that VMOA fails to teach at least control logic for formatting channelized circuit data so that each AMT cell includes a payload comprising a plurality of octets and a validity field corresponding to each of the plurality of octets.

The Office Action relies upon the VPI and VCI fields in the ATM header to teach this feature of claim 1. The Office Action asserts that "vpi and vci are interpreted as validity fields in such as way that they are associated with ***every*** octet of in the payload; and if they have the valid value for data transfer, such as all 0s, all octets in the payload are invalid, otherwise, all payload octets are valid" (emphasis added). Office Action mailed July 2, 2007, page 3, paragraph 4.

However, VMOA is silent as to using VPI and VCI for indicating the validity of payload data as asserted by the Office Action, and Applicants submit that the VPI and VCI are

merely fields in the ATM header that used for routing data across an ATM network and are not used for indicating the validity of data in the payload of an ATM cell as asserted in the Office Action. The VPI field of an ATM header is used to store a Virtual Path Identifier, and the VCI field of an ATM header is used to store a Virtual Channel Identifier. The Virtual Path Identifier is used to identify the next destination along a route along an ATM network (a virtual path) from a source to a destination, and the Virtual Channel Identifier is a unique identifier for identifying a particular virtual circuit on an ATM network. The Virtual Path Identifier and the Virtual Channel Identifier are used in conjunction with one another when routing data across the network. Therefore, Applicants submit that the VPI and VCI fields in the ATM header are not validation fields as asserted in the Office Action.

Applicants further submit that if "invalid" data were inserted into the VPI and VCI fields as a means of validating the contents of the payload as suggested by the Office Action, the ATM cell would not be routed properly, and thus, the entire payload would be lost. In contrast the validity indicators recited in claim 1 advantageously are used to mark individual octets within the payload of an ATM cell as invalid, so that the individual octets marked as invalid will not be processed. By selectively marking individual octets in ATM cells as invalid, the transmission of channelized circuit data can be transmitted at an arbitrary rate over the ATM network, where the arbitrary rate is not a multiple of the fundamental rate.

Furthermore, even if ***arguendo***, the VCI and VPI fields were validity identifiers as asserted by the Office Action (which they are not), the Office Action admits that the VCI and VPI fields apply to ***every*** octet of data in the payload (Office Action mailed July 2, 2007, page 3, paragraph 4), and thus, the VCI and VPI fields do not correspond to individual octets in the payload. Each of the validity indicators recited in claim 1 is associated with an octet in the payload and advantageously indicates whether the data in an ***associated*** octet is valid. Accordingly, the validity indicators recited in claim 1 advantageously provide a finer level of granularity by enabling individual octets in the payload to be marked as invalid.

Therefore, VMOA fails to anticipate claim 1 for at least the reasons provided.

Independent claims 5, 9 and 12 should be allowable for similar reasons as claim 1. Furthermore dependent claims 2-4, which depend from claim 1, claims 6-9, which depend from

claim 5, claims 10-11, which depend from claim 9, and claims 13-16, which depend from claim 12, should also be in condition for allowance at least due to their dependence from claims 1, 5, 9 and 12, respectively.

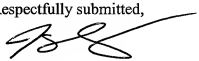
Accordingly, Applicants respectfully request that the rejection of claims 1-15 under 35 U.S.C. 102(b) be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



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Attachments
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